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CICERO ON PEACE AND WAR

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It is always interesting to turn back to former periods of history, to examine the ideas and ideals of men of former days, and to compare them with those held in one's own day. At the present time, in the world-war with all the problems which it raises, the attention of one who is interested in Roman affairs is turned almost inevitably to Roman views and Roman practices in relation to war. paper does not, however, aim to follow those topics through a thousand years of development and change, but to present the views of one man at one period—Cicero in the first century before Christ. Cicero has been selected for a number of reasons. He lived in a time of wars, foreign and civil, and of tremendous political and social changes, in which he played some part. He gave expression to his opinions on conditions, in different kinds of literary works which have been largely preserved. His views can be studied in his political and philosophical works, in speeches in the senate, in the law courts and before the people, and in his letters to relatives and personal and political acquaintances.

It is often stated that among the Greeks and Romans war, or at any rate a latent hostility, was recognized as the normal condition in the realtion of one state to another. The statement is probably not true of the Romans^r and certainly not true of Cicero. It is impossible to understand his expressed views on peace and war except on the basis of his belief in peace as the normal international relationship. His condemnation of war is strong enough. He says, "Rashly to engage in line of battle and hand to hand to fight with an enemy is somehow monstrous, and like the actions of wild beasts." And a preference for peace is evident from his statement, "In my opinion we should always plan for peace, peace which will

¹ Tenny Frank, Roman Imperialism, p. 8.

² De officiis i. 23. 81.

involve no treachery." This is not to say that Cicero was a pacifist. Far from it. War was horrible and yet should be entered for cause.

What are the proper reasons for war, in Cicero's view? In his own words, "Now since there are two ways of contesting for a decision, one by discussion, the other by force, and since the former is proper for man, the latter for beasts, one should have recourse to the latter only if it is impossible to use the former. Wars then are indeed to be waged for this reason, that without wrong life may be lived in peace [ut sine iniuria in pace vivatur]." In the De republica he states, "Those wars are unjust which are undertaken without cause. Now without a purpose to punish wrong [ulciscendi] or to beat back an attacking enemy, no just war can be waged."

But how is the state to be certain that wrong has been done that would justify war? Cicero would leave that question to the decision of a very old and sacred college of priests, the *fetiales*.⁴ To these priests also formal demands for reparation and the formal declaration of war were left. "No war," says Cicero, "is just except one which is waged after demands for reparation have been made, or the war has been officially declared and proclaimed." By this Cicero does not mean that the making of formal demands and declarations justifies war. He had in mind no doubt the old fetial formula, "If I unjustly or impiously demand that those men and those possessions be surrendered to me, then do thou [Juppiter] never permit me to return to my native land." No mere technical justification would be proper. "But you may say that Sulla, Marius, Cinna were in the right; no, I would say, only formally in the right."

Not all wars, in Cicero's view, are the same in their character and, curiously, are not to be waged with the same degree of bitterness. In *De officiis* he states:

When the struggle is for rule and fame is sought in war, still there should be the selfsame reasons which I mentioned a little while ago as the proper

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<sup>1</sup> De officiis i. 11. 35.

<sup>2</sup> Ibid. i. 11. 34-35.

<sup>3</sup> iii. 23. 35.

<sup>4</sup> De legibus ii. 9 and 14. 34.

<sup>5</sup> De officiis i. 11. 36; cf. De republica ii. 17.

<sup>6</sup> Livy i. 32. 7.

<sup>7</sup> Ad Atticum ix. 10. 3.
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reasons for wars. But those wars which have the glory of rule as their object are to be waged with less bitterness. Wars were waged with the Celtiberi for actual existence, not for rule; with the Latins, Sabines, Samnites, Carthaginians, and with Pyrrhus the struggle was for rule.

The rather remarkable grouping of Italians, Carthaginians, and Greeks in one class of opponents as distinct from the Celtiberi and Cimbri illustrates the Roman dread of the unknown hordes of the North. Again Cicero would distinguish civil wars from foreign wars. A foreign war is always in comparison a bellum justum.²

When war has been entered "it should be fought out and death is preferable to slavery and disgrace." It should be waged properly and justly. "Let our commands wage just wars justly, let them spare the allies, let them hold themselves and their men in check." Agreements made in the course of the war with the enemy are to be strictly observed. In Cicero's words, "And even if they [Roman commanders], under the press of circumstances, have made some individual promise to the enemy, good faith should be kept in that very particular, as for example Regulus in the first Punic War." Observance merely of the letter of the law will not do. "Even in affairs of the state," Cicero says, "many wrongs are done, as for example the case of the commander who, when a truce for thirty days had been arranged with the enemy, devastated their lands by night, on the ground that the truce had been arranged for the days, not for the nights."

But when victory is gained those are to be preserved who have not been cruel or horrible in the war, as for example our ancestors even received into our state the people of Tusculum but they entirely destroyed Carthage and Numantia. . . . And not only should you plan for the safety of those whom you have overcome by force; but those also who throw down their arms and trust themselves to the protection of our commanders are to be received in surrender [that is, not butchered by the soldiers], even though the batteringram is shaking their walls at the time. In this respect justice was so practiced by our people that they became the protectors [patroni] of those states and nations whom they had entirely defeated in war and whose surrender they had accepted.

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<sup>1</sup> Ad Atticum i. 12. 38.

<sup>2</sup> Pro rege Deiotaro 5. 13.

<sup>3</sup> De officiis i. 23. 81; cf. i. 11. 35.

<sup>4</sup> De legibus iii. 3. 9; cf. De officiis i. 11. 34.
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Again he states, "In respect to destroying and plundering cities you should very seriously consider that you do not commit any rash or cruel act. It is the duty of a great man in times of trouble to punish the guilty, but to save the majority, and under all circumstances to hold to the upright and honorable." Again, "Under the pretense of utility, very often wrong is done in the state, as in the destruction of Corinth." Cicero evidently does not approve of the indiscriminate cruelty so often practiced in destroying, plundering, murdering, when a war was won or a city captured. He is quite a man of his own time, however, in his assumption that the admission of the defeated to Roman citizenship, or to Roman protection, was genuine kindness and justice. He also apparently accepted the principle that the land of the conquered belonged to the conquerors.³ In his speech for Fonteius, in fact, he takes this principle quite as a matter of course.⁴ While this does not prove that he fully believed in the principle—for he himself warns against taking as his own personal views statements found in his law-court speeches⁵—it does decidedly prove that he was certain that the ordinary Roman would not object to it. Cicero's real opinion, I think, is found in the De republica:

Policy bids you increase your wealth advance your borders (for whence comes that praise carved on the monuments of the greatest commanders, "He extended the borders of the empire," unless something was added from another's possessions?), to rule over as many as possible but justice teaches you to spare all, to plan for mankind, to grant every man his own, not to touch sacred or public or another man's possessions.⁶

Treaties are inviolable. This principle is involved in the quotations which have been given about keeping agreements made with the enemy in war time, and is suggested by a number of statements in Cicero's philosophical works. When he wishes to make the worst possible remark about the Carthaginians he calls them "breakers of treaties" (foedifragi). And in his speech for Balbus, in which he defends the legality of that gentleman's change of citizenship from the city of Cadiz to Rome, his numerous statements

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<sup>1</sup> Ibid. i. 24. 82; cf. ii. 8. 26.  

<sup>2</sup> Ibid. iii. 11. 46; cf. i. 11. 35.  

<sup>3</sup> Ibid. i. 7. 20–21.  

<sup>4</sup> Pro Fonteio 5. 12; 6. 13.  

<sup>5</sup> Pro Cluentio 139.  

<sup>6</sup> iii. 15. 24.  

<sup>7</sup> De officiis iii. 31. 111; De republica iii. 29. 41.  

<sup>8</sup> De officiis i. 12. 38; cf. Pro Scauro 42.
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about the treaty plainly indicate that to Cicero and his hearers the inviolability of treaties was a matter of course.¹

Cicero's justification of the growth of the Roman Empire and its continued existence are of peculiar interest. As might be expected, he raises the question in the *De republica*: "This people of ours in whose empire now the world is held, in justice or by policy has it grown from the least to be the greatest?" It is then most tantalizing to read at this very point in the text, Desiderantur minimum quattuor paginae.² But the tone of the passage indicates that he believed that Rome's growth had been "in justice." It is true that he has one character in this same work state in a striking phrase legitime iniurias faciendo, "the Roman people has gained control of all lands,"3 and that he admits and disapproves of acts of injustice by Rome, for example, the destruction of Corinth. For all that he would apparently justify Rome's expansion, "But our people in defending the allies has now gained control of all lands."4 The text of Cicero's justification of the existence of the empire is also lost, but fortunately a résumé of it is given by St. Augustine:5

It is unjust that men should be under the domination of men, and yet unless the imperial state indulges in this injustice it cannot rule the provinces. On the part of justice the reply is made that it is just because for such men subjection is advantageous, and the rule is carried on for their good, when it is properly carried on, that is, when license to do wrong is taken from the bad; and (under this rule) the subdued will be in better condition, for they were in a bad condition when unsubdued. And finally the question is raised (Do we not see that by nature herself mastery has been granted to all the best men to the very great advantage of the weak?), 6 "Why does God rule man, the mind rule the body, and reason rule lust and all other vicious qualities of the mind?"

Evidently Rome's rule is considered better for the subject peoples than independence. The theory has a Germanic tone. To Cicero, however, it was a proper theory whose justification was

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<sup>1</sup> See especially 5. 13. <sup>2</sup> iii. 15. 24.
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³ iii. 12. 20 from Lactantius *Inst. div.* vi. 9. 2–4. It is not absolutely certain that Lactantius is quoting Cicero here; but cf. *De republica* iii. 14. 24.

⁴ Ibid. iii. 23. 35. 5 De civitate Dei xix. 21.

⁶ St. Augustine Contra Julianum Pelag. iv. 12. 61.

to be found in actual conditions of his time. His thought is perhaps best made clear in a letter which he wrote to his younger brother Quintus advising him as to his conduct as governor of the province of Asia:

Now in the first place for the Greeks that condition, which is most bitter, that they are subject to tax ought not to seem so bitter, for the reason that without the rule of the Roman people they were so subject by their own institutions. At the same time let Asia think of this point, that there is no calamity of foreign war or internal strife from which she would be free, if she were not held in this empire. But since this empire cannot possibly be maintained without taxes, with a certain share of her produce she should be content to purchase for herself everlasting peace and tranquillity.

Cicero was not, however, laboring under the delusion that all was well in the empire. He knew that all was not well. He puts these words into the mouth of Laelius (about 130 B.C.), "If the custom [of disregarding laws and treaties] should spread, and should draw our empire from law to force, so that those who as yet voluntarily obey us are bound by terror I fear for our posterity and for the immortality of the state." In the *De officiis* he says, "But as long as the Roman Empire was held together by benefits conferred, and not by injuries it could have been called a protectorate of the world with greater truth than an empire. Into this present disaster [the rule of Caesar] we have fallen, since we prefer to be feared rather than to be loved."

These are Cicero's theories. The books in which he has stated them, written after he was fifty years old, based in part on his own experience and thinking and in part on Greek philosophy, present the final mature political ideas of a man who had himself been a politician and statesman for half a lifetime.

It is interesting, after an examination of Cicero's theories, to review in various periods of his public life his statements and to some extent his acts.

Cicero's first public speech relates to a war. It is his support of Manilius' proposal that Pompey be given entire control in the East against Mithridates. Cicero was appealing directly to an

¹ Ad Quintum fratrem i. 1. 11, 33-34.

² De republica iii. 29. 41.

³ ii. 8. 26 and 29.

assembly of the people which was to vote yes or no, and consequently the speech is one of practical politics. Cicero's attitude is that the war is essentially one of defense, and such it really was, although many Roman capitalists may have hoped that Pompey would make it something more. Cicero appealed for support of the war on the grounds that Rome's honor and prestige were involved, that her allies were in danger, and that the state's revenues and the investments of Roman citizens in Asia were at stake. In advocating Pompey as general in charge he asserted that the essential qualifications of a commander are military knowledge and experience, ability and courage, prestige and good luck. A commander should also exercise self-restraint (chiefly with reference to Rome's allies or subjects), should act in good faith, should listen to complaints, should act humanely. It goes without saying that Pompey was the paragon who exhibited all these qualities in their perfection.

Some ten years later we find Cicero interested in the problem of restoring Ptolemy to the throne of Egypt from which he had been justly ousted by his subjects. There is a great deal on this topic in Cicero's correspondence with Lentulus, governor of Cilicia, and there is one letter to Cicero's brother Quintus, but not one word on the merits of the king's case or on the rights of the Egyptians. This may be due partly to the fact that Lentulus wanted the chance to restore the king. It would seem to indicate a certain callousness with regard to foreigners' rights in comparison with the wishes of a personal friend.²

In the same year as the Egyptian affair, 56 B.C., Cicero spoke in the senate in favor of extending the term of Caesar's command in Gaul. Now it is true enough that Cicero was not in favor of the high-handed methods of the Caesar-Pompey-Crassus coalition in running the Roman government; but it is not therefore necessary to accuse Cicero of insincerity in favoring Caesar in Gaul. Two provinces were to be allotted for the coming year, and Cicero may well have wished in the state's interest, to say nothing of private reasons,

¹ W. E. Heitland, A Short History of the Roman Republic, pp. 397 and 414.

² Ad familiares i. 1-8; Ad Quintum fratrem ii. 2.

³ Ad familiares i. 7. 10, and i. 9. 4 Cf. Pro Balbo 27. 61.

that Macedonia and Syria be relieved of their grasping governors, Piso and Gabinius. Caesar, Cicero argues, should be allowed to remain so as to settle affairs in Gaul and bring it thoroughly under Roman sway. Caesar had been waging an offensive war, Cicero had been compelled to admit, and yet in a broader sense it was a war of defense. "No man," he says, "has wisely thought on the interests of our state, from the very beginning of this empire, who has not considered Gaul particularly an object of danger to this empire." The same idea is illustrated in another statement: "I believe, senators, that at this time in assigning the provinces we ought to plan for an unbroken peace. Now who does not know that all our other possessions are free from all danger and even from the suspicion of war?" Even in Cicero's boast of Caesar's achievements that idea is in his mind: "Nature with some divine power had in former times protected Italy by the Alps; for if that way of approach had been open to the barbarous and numberless Gauls, this city would never have provided a home and abode for the greatest empire. But now let them sink! For there is nothing beyond those lofty heights, even as far as the ocean, which Italy need fear." The necessity for the protection of Italy then is justification for the complete subjugation of Gaul to Rome. "One or two summers now can bind Gaul in everlasting chains either by fear, or by hope, or punishment, or rewards, or arms, or laws."4 In this speech it is made plain, quite incidentally, that to maintain an army and conduct a war by money derived from plunder was a matter of course.5

The many letters which Cicero wrote to friends in Gaul show us his interest in the war on the personal side. They show that he kept in touch with the progress of the war, but that he was more concerned about the affairs of his friends in Gaul. Caesar himself, his brother Quintus of Caesar's staff, and his young friend Trebatius were his chief correspondents.

Of the Caesar-Cicero correspondence one letter to Caesar is extant, but none from Caesar. We learn something of the correspondence, however, from various bits of other letters. Caesar

¹ De provinciis consularibus 13. 33.
³ Ibid. 14. 34; cf. In Pisonem 33. 82.

² Ibid. 12. 30. ⁴ De provinciis consularibus 14. 34. ⁵ Ibid. 11. 28.

in the midst of all his military activities took time to write Cicero at least some things about Gallic affairs and to read some poetry of Cicero's composition and give him his estimate of it. quote from a letter: "How does Caesar like my poetry? He writes me that he has read the first book, and declares that he never read anything better than the first part even in Greek, but that the rest was a trifle careless. Tell me the truth; is it the subject-matter or the style that he does not like?" The correspondence was no doubt kept up partly from friendship and partly from policy. Certainly it was policy as well as friendliness that led Caesar even to urge Cicero to send on young Roman friends who were ambitious for a public career. Cicero quotes from one of Caesar's letters: "Marcus Iteius, whom you recommend to me, I will make king of Gaul, or put him under Lepta's charge, if you like. Send me someone else to promote."² On this very invitation Cicero sent to Gaul the lawyer Trebatius. At his arrival Caesar again wrote as we learn from Cicero: "He even thanks me for sending Trebatius in a very witty and courteous tone, for he says that in all the crowd of those who are with him there is not another man who can arrange a bail."3

From the first letters of the Trebatius-Cicero correspondence it is clear that Cicero felt responsible and that Trebatius was discontented. "You have a commander," Cicero says, "of the most liberal character, your age is just right for your work, your recommendation is certainly unique, so all you need fear is that you don't do yourself justice." In a few months the young man had evidently settled down to his work, for we find Cicero writing to him: "At last I can approve of you, because you seem to have become settled in purpose. For I was very much troubled by your letters during the first months, because you seemed sometimes lightminded—pardon the expression—in your longing for the city and city life, and sometimes lazy, and sometimes timid in regard to military work." Cicero was not always so serious with Trebatius;

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<sup>1</sup> Ad Quintum fratrem ii. 15. 5.
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⁴ Ad familiares vii. 7.

² Ad familiares vii. 5. 2.

⁵ Ibid. vii. 17; cf. vii. 18.

³ Ad Quintum fratrem ii. 13. 3.

in fact he found a great deal of pleasure in poking fun at him on occasion.

I have read your letter, from which I gathered that you impress our friend Caesar as being a great lawyer. If you had gone to Britain, certainly no one in all that great island would have been more learned in law than you. . . . I'm very much afraid that you'll freeze in winter camp. And yet I hear that it's hot enough for you there now—on this news I really was very much alarmed for you. But you are a much more cautious man in military matters than in legal. You didn't care to look at the British charioteers, though some time ago we couldn't keep you even from a blindfolded gladiator's fight.¹

From Cicero's letters to his brother Quintus, and about him, it is evident that Quintus was serving in Gaul to procure some much-needed money and to keep himself and Cicero in Caesar's good graces.² The letters show a very human interest and anxiety about his brother's doings. An extract from a letter to Atticus will illustrate:

From my brother's letters I gain unbelievable evidence of Caesar's affection for me, and that has been confirmed by a splendid letter from Caesar himself. I am awaiting the result of the British war with anxiety, for it is certain that the means of approach to that island are protected by astonishing cliffs. This too is now known, that there is not a bit of silver in that island and no hope of booty except from slaves; and among them I think you'll not expect any trained in literature or music.³

A little later he learns of the landing in Britain: "From Britain Caesar wrote me, on Sept. 1, a letter which I received on the 27th, very satisfactory about the British business, and he writes, so that I wouldn't be surprised at not receiving a letter from you, that you were not with him when he reached the coast." Some time later he writes Quintus again: "I am terribly bothered and anxious about you, for nothing has come from you, or from Caesar, for over fifty days, from those regions, not a letter, and not even a rumor. The sea there and the land make me anxious, and I can't help thinking of things which I least desire to happen." A little later he had reassuring news, for he writes to Atticus: "From my brother and from Caesar, on Oct. 24th, I received letters dated from the nearest

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<sup>1</sup> Ibid. vii. 10. <sup>4</sup> Ad Quintum fratrem iii. 1. 25.
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² Ad Quintum fratrem ii. 13 and 14, and iii. 8. ⁵ Ibid. iii. 3. 1.

³ Ad Atticum iv. 17. 6.

coast of Britain on Sept. 25th. Britain over with, hostages accepted, no booty, but a tribute imposed, they were ready to bring the army back from Britain." In all these letters there is much talk of personal interests of one sort or another, but none of serving the country. The explanation may be in the fact that the war in Gaul, after all, was no life-and-death struggle for Rome. It was simply a job to be done which did not tax the resources of Rome to any considerable degree.

It is interesting to turn from this group of letters to those written when Cicero was himself a governor, just a few years later, in Cilicia. This position fell to him much against his own desire. In contrast with the majority of governors of that day he kept himself and his staff from every sort of oppression of provincials and from graft. Yet he had to act with great caution so as not to offend the moneyed interests at Rome. He was very much pleased at the genuine joy of the provincials in his government, but even more so perhaps at his military success against some robber mountain tribes. A long letter to Atticus shows a peculiar blending of pride in his campaign and realization that it was comparatively of little importance. He writes:

On the morning of the Saturnalia the Pindenissetae surrendered to me, on the fifty-seventh day after we began to besiege them. "Who the deuce are those Pindenissetae of yours?" you will say, "I never heard the name before." Well, what am I to do? Could I change Cilicia into Aetolia or Macedonia? Let me tell you this, that with this army and in this place such an undertaking was quite impossible. I arrived at Tarsus on October 5th. From there I hurried on to Mount Amanus, which separates Syria from Cilicia. Here we cut to pieces a large force of the enemy. I was saluted as Imperator. For a few days we were encamped on the very spot held against Darius at Issus by Alexander, a commander not a little better than either you or me! [After some sentences which apparently indicate Cicero's pleasure at the lack of success of the neighboring governor of Syria, who was engaged in similar military work, he goes on I was at Pindenissus, the most strongly fortified town of the Free-Cilicians, never peaceful in the memory of man. The people were wild and brave and equipped with everything for defence. With great labor and preparation, many wounded, but no one killed, I finished the business. We are spending a merry Saturnalia, the soldiers too, and to them I have given all the booty excepting the captives. They were sold.2

¹ Ad Atticum iv. 18. 5.

In a letter to Cato, Cicero outlines the purposes of this campaign:

Now since it [Pindenissus] was situated on a very high and well-fortified spot, and was inhabited by people who have never obeyed even kings, and since they were receiving deserters and were very eagerly looking forward to the coming of the Parthians, I believed that it was of importance to the prestige of the empire to check their boldness, with the purpose that the spirits of all others, who were inimical to our empire, might be broken.¹

Here Cicero despite his theories seems quite the hard Roman—the policy of frightfulness, the plundering of the captured town, and the selling of its inhabitants raise no objection in Cicero's mind. Of course it should be remembered that these people were robber tribes, with whom, as with pirates, ordinary regulations of warfare need not be observed.²

Cicero had hoped to gain from his victory a triumph from the senate; but the civil war of Pompey and Caesar interfered. In this war Cicero took no part at the first, hoping to persuade the leaders to peace; but after an unsuccessful interview with Caesar he joined Pompey's side. He really believed that peace by compromise was far the best for the state. "What we want is peace," he writes to "From a victory there will come many evils, and certainly a tyrant will rise." A decision by arms was bound to lead to either Caesar or Pompey controlling the state. After the defeat of Pompey, Caesar pardoned Cicero, but the latter practically took no part in public life during Caesar's rule. Although in a speech of this period Cicero told Caesar that the state needed him,4 it was a lawyer's plea, for at the same time he was writing his son that the republic was lost and that Caesar's rule was a disaster.⁵ A year or two later, during his effort against Antony, Cicero told the senate that Caesar's rule had been slavery.6

In this struggle with Antony, Cicero, as leader of the senate, took quite a different attitude from that during the war between Caesar and Pompey. He now evidently believed that by overthrowing Antony constitutional government could be restored.

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<sup>1</sup> Ad familiares xv. 4. 10.

<sup>2</sup> De officiis iii. 29. 107.

<sup>3</sup> Ad Atticum vii. 5; cf. vii. 7; Ad familiares iv. 9.

<sup>4</sup> Pro Marcello 8.

<sup>5</sup> De officiis ii. 8. 29.

<sup>6</sup> Philippica viii. 11. 32.
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Therefore he approved of war. To the senate he says, "The name of peace is sweet, and that condition itself is salutary; but between peace and slavery there is a very great difference." In another speech, "And I am not opposed to peace, but I fear war rolling upon us under the name of peace. So then, if we would enjoy peace, we must wage war; if we give up the war, we shall never enjoy peace."2 Again, "Peace made with them will not be peace, but an agreement for our own slavery."3 It is curious today to notice in these speeches expression of the hope that this war will bring about some permanent settlement. Appealing to the consul Cicero says. "You have an opportunity such as no man ever had. You can free the republic from fear and danger forever."⁴ In attacking Antony he asserts, "He promises his robbers our homes, and asserts that he will divide up the city. . . . Antony has then something to promise his men. Well, have we any such? The gods forbid! For it is this very object that we aim at, that no man hereafter may be able to make any such promises." Cicero's hopes, however, were not destined to be fulfilled, and his fearless attacks only brought about his own death.

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Philippica ii. 44. 113.
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³ Ibid. xii. 6. 14.

² Ibid. vii. 6. 19.

⁴ Ibid. vii. q. 27.

⁵ Ibid. viii. 31. 8-9.